

May 26, 2020

Tulare County Supervisors Board
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Delivered Via Email to:

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Dear Tulare County Board of Supervisors,

While COVID-19 cases have impacted lives, livelihoods, and the safety of Tulare County residents, constituents have looked to elected leaders for guidance and protections with public health, science, and the well-being of their constituents in mind. Unfortunately, the Tulare County Board of Supervisors (“Board”) has failed to adopt common sense measures such as evictions protections for tenants and business owners, face masks mandates, essential worker protections and assurances that establishments act in accordance with state mandates. These actions have contributed to the economic and health impacts of Tulare County residents and to the continued increases in COVID-19 cases such as major hot spots among essential agricultural and food processing workers. In line with a track record of unreasoned decision-making, the Board voted to proceed to Phase 3 of the reopening of the County during their May 19th meeting despite not meeting State requirements for doing so and despite not having followed state protocols for requesting variances from the state-wide shelter-in-place mandate. The Board of Supervisors took this action without consulting with public health officials, impacted communities, essential workers, or city governments.

Additionally, and critically, this vote violated the Brown Act by taking action that exceeded the language on the posted agenda (Government Code §54950 et seq). The agenda item during which this vote was made was agendized as “2. Receive and update form the Health & Human Services Agency on COVID-19 status and response efforts in Tulare County.” The agenda did not include nor was it amended at any point in time to include a vote by the Board to reopen indefinitely. The action taken by the Board is a direct violation of Government Codes §54954.2 and §54945.3. The Board did not include in their agenda language indicating a vote to reopen the County 72 hours before and did not notify the public before the vote was taken. In fact, the motion taken by Supervisor Townsend occurred after the public comment period for the original item.

This action and decision follows the natural trajectory of this Board of Supervisors who has minimized health impacts, minimized the impacted, and minimized the role of the public throughout this crisis. Board members have consistently placed COVID infected individuals who contracted the virus in nursing facilities and food processing facilities in a vacuum - not part of a

community-wide problem or a community-wide effort toward a solution. Board members have called to omit data from these food processing facilities and nursing homes from the County totals in order to make the County seem as if they are meeting State guidelines. However, these comments show that the Board does not acknowledge that the people who live and work in these facilities are Tulare County residents and constituents. And, it fails to acknowledge that they can spread the virus to other populations of the County. Many impacted people live in multigenerational homes and communities where other members of their households continue working. Thus, the total COVID case count is reflective of the County's efforts to suppress transmission and protect residents as much as possible.

Thursday's vote to re-open the County was not only lawfully wrong, but dangerous as it puts the health and safety of essential workers and vulnerable populations at risk. The Board failed to consider or discuss protections for frontline workers during reopening discussions. Protections such as ensuring sufficient PPE for workers, reduced operating capacities and healthcare if they become sick are vital to prevent outbreaks as we have seen at Ruiz Foods and nursing facilities. Frontline workers will continue to take on the most risk due to the Board's decision and lack of consideration. True leadership should consider all populations when making important public health and economic decisions. Hasty and unreasonable decision-making puts Tulare County residents and necessary emergency funding at risk. Every day that the County goes without curing their violation, is another day they sacrifice essential workers, vulnerable populations and healthcare workers and resources. We demand that the Board rectifies this violation within 30 days as provided by Brown Act, and consults with community leaders during a public meeting on actions to protect County residents.

In Community,

Blanca Escobedo, Policy Advocate, Leadership Counsel for Justice and Accountability

Mayra Becerra, Chairperson, Ivanhoe Community Council

Susana De Anda, Executive Director & Co-Founder, Community Water Center

Sarah K. Hutchinson, Policy Director, Interim Co-Executive Director, ACT for Women and Girls

Nayamin Martinez, Director, Central California Environmental Justice Network

Reina Palma, Irene Paredes, Representatives, Matheny Tract Committee

Elena Salidvar, Resident, Pixley

